

Strengthening the Efficiency and Quality of the Judicial System in Azerbaijan

Recommendations on the development of ICT solutions to support the national enforcement system of Azerbaijan

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List of abbreviations

AI	Artificial intelligence
CEPEJ	Council of Europe's European Commission for the Efficiency of Justice
CEPEJ 2009 Guidelines	Guidelines for a better implementation of the existing Council of Europe's Recommendation on Enforcement, adopted by the CEPEJ at its 14 th plenary meeting on 9 December 2009, CEPEJ (2009)11REV2
CoE	Council of Europe
CMS	Case management system
DGE	Directorate General of Enforcement of the Ministry of Justice of Azerbaijan
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EIS	e-Enforcement Information System
EU	European Union
ICT	Information and communication technology
IT	Information technology
Rec(2003)17	Council of Europe's Recommendation Rec(2003)17 of the Committee of Ministers to member states on enforcement (adopted by the Committee of Ministers on 9 September 2003 at the 851 st meeting of the Ministers' Deputies)

1. Executive summary and recommendations

1.1. Executive summary

The Council of Europe since 2000, followed by and together with the CEPEJ since 2002, have developed many cooperation programs, studies, recommendations, and guidelines relating to enforcement in Europe. Although not binding these instruments have been assembled in the light of best practises and with the aim to comply with all the requirements of the European Convention of Human Rights (ECHR). They constitute a roadmap for any country to follow.

A court decision which cannot be properly enforced serves no purpose. Efficient and fair enforcement of court decisions is central to any legal system. The development of information and communication technologies (ICT) are essential for any country to meet all expected requirements. ICT are already deeply part of the enforcement system in Azerbaijan. The purpose of the present report is to enquire about the current level of ICT in the enforcement system in Azerbaijan to help its development and improvement.

In the framework of the present report, questionnaires on the enforcement system in Azerbaijan were sent to the Directorate General of Enforcement of the Ministry of Justice of Azerbaijan, the Directorate of Information and Communication Technologies of the Ministry of Justice of Azerbaijan (ICT Department), and to two creditor companies (Azercell and Azernerji).

The analysis of these questionnaires draws a picture of the current use of ICT in the Azerbaijan enforcement system. In the light of this analysis, the report focuses on how to improve and further develop the use of ICT in the enforcement system of Azerbaijan, including pertaining to the experience of other countries, and to draft recommendations.

1.2. Summary of recommendations on the development of ICT solutions to support the national enforcement system

1.2.1. Setting up an e-Enforcement policy and environment

Azerbaijan is displaying strong ambitions pertaining to the development of e-Justice applications. An overall e-Justice strategy, including e-Enforcement, would strengthen this expansion. Development and implementation of information technology in the enforcement profession should be considered part of the overall e-Justice strategy. E-Justice and e-Enforcement environment in Europe may serve as examples of current developments which could also be considered by the Azerbaijan authorities. Furthermore, a critical look at the legislation facilitating e-Enforcement might be useful to elaborate a workable e-Enforcement system.

1.2.2. Access to information

Databases containing information on the debtor and his/her assets are already broadly operational in Azerbaijan. Azerbaijan might still consider broadening such access to information, through the development of an integration strategy to allow for system-to-system communication. To this end, existing operating systems in force in European countries could be assessed, such as the Citius platform in Portugal. The following information could be focused on: access on the accurate domicile of the debtor, access to information on assets through the e-Enforcement Information System (EIS), and establishment of a debtors register or register of seizure acts.

1.2.3. Overall access to the Directory of enforcement agents

The Directory of enforcement agents is currently not accessible to the public and not online. The Azerbaijan authorities might consider granting access to this registry to the public and online, as it is the case in many countries, as well as for other legal professions, for a better access to justice and a greater transparency of the enforcement system.

1.2.4. Evolution of the Enforcement case management

The Azerbaijan e-Enforcement information system (EIS) is a unique case management system for all enforcement agents and is already well developed. Azerbaijan authorities might also consider studying trends in Europe, including to ensure full process of the enforcement proceedings exclusively in an electronic format, and to facilitate access to electronic enforcement files and electronic exchange of information from all counterparts.

1.2.5. Development of e-Service of documents

To solve the issue of confirmation of delivery in e-Service of documents, which would accelerate enforcement, the Azerbaijan authorities could overlook the current trends in use in European countries where enforcement agents do serve documents electronically (e.g., Belgium) where platforms are involved in the process.

1.2.6. Enforcement processes

1.2.6.1. Attachment on movables and immovable

To improve the efficiency of attachment of movables and immovable, the Azerbaijan authorities may consider the possibility of e-attachment. In that respect, the authorities could benefit from the experience of other countries (e.g., Lithuania), where enforcement registers are interconnected with other legal registers.

To comply with Guidelines 33 of the CEPEJ Guidelines on Enforcement and to avoid the discontinuation of the enforcement process, the Azerbaijan authorities could consider charging enforcement agents with the selling of attached movable and immovable goods as it is the case in many European countries, including through e-Auctions.

1.2.6.2. Attachment on bank accounts and attachment on salary

To ensure a more efficient enforcement, the Azerbaijan authorities could consider the introduction of the e-Attachment of bank-accounts by enforcement agents, as successfully introduced in several European countries.

1.2.7. The use of IT within the monitoring and control mechanisms

In line with the recommendations included in a separate report drafted by the experts on setting up a system of enforcement timeframes and recovery rates as indicators on the efficiency of the enforcement system and in view of evaluating the enforcement agent's performance, the Azerbaijan authorities could consider periodical randomized samples of all inquiries as regard access to data by the enforcement agents.

1.2.8. The use of Artificial Intelligence in enforcement

With respect to the European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their environment of the CEPEJ of 4 December 2018, the Azerbaijan authorities could discuss the pros and cons of introducing artificial intelligence in enforcement to improve the quality of enforcement, with a view to an operational automated enforcement process.

2. International standards

2.1. Introduction

On 4 and 5 October 2001 in Moscow the 24th CoE's Conference of European Ministers of Justice was held. The conference adopted a resolution on "General approach and means of achieving effective enforcement of judicial decisions". The Conference agreed:

"the proper, effective and efficient enforcement of court decisions is of capital importance for States in order to create, reinforce and develop a strong and respected judicial system." The Conference asked the European Committee on Legal Co-operation (CDCJ) "to identify common standards and principles at a European level for the enforcement of court decisions. [...]"

Based on such agreement, the CoE has identified common standards and principles that may help States to improve their legislation and practices:

- CoE's Recommendation Rec(2003)16 of the Committee of Ministers to member states on execution of administrative and judicial decisions in the field of administrative law (adopted by the Committee of Ministers on 9 September 2003 at the 851st meeting of the Ministers' Deputies) (hereafter Rec(2003)16);
- CoE's Recommendation Rec(2003)17 of the Committee of Ministers to member states on enforcement (adopted by the Committee of Ministers on 9 September 2003 at the 851st meeting of the Ministers' Deputies) (hereafter Rec(2003)17);
- CEPEJ, CoEs Commission for the Efficiency of Justice included enforcement of judicial decisions into the list of its priorities. On December 17, 2009 CEPEJ published the Guidelines for a better implementation of the existing Council of Europe's Recommendation on Enforcement (here after CEPEJ 2009 Guidelines)¹; these Guidelines were later completed by a Good practice guide on enforcement of judicial decisions²;
- CoE's Opinion No 13 (2010) on "The role of judges in the enforcement of judicial decisions" of the Consultative Council of European Judges.

The CoE Rec(2003)16 and Rec(2003)17 contain merely the same principles as the case-law of the ECtHR, to which it expressly refers. Stating that enforcement procedures should be as effective and efficient as possible, the Recommendations outline ideas, which might be followed by the states that wish to improve the effectiveness of enforcement procedures and practices.

2.2. The use of ICT in enforcement

The search of assets

With regard to the information about defendants and assets several aspects are of importance. It is clear that an easy and fast access to such information will make the enforcement more efficient and effective. At the same time, one has to take into consideration privacy aspects.

Rec(2003)17 recommends:

The search and seizure of defendants' assets should be made as effective as possible taking into account relevant human rights and data protection provisions. There should be fast and efficient collection of necessary information on defendants' assets through access to relevant information contained in registers and other sources, as well as the option for defendants to make a declaration of their assets³.

With regard to the search and seizure of defendants' assets, this principle highlights the importance of collecting information using (electronic) registries of assets (e.g., land, company and tax registers) and other available sources (e.g., banking information).

¹ Guidelines for a better implementation of the existing CoE's Recommendation on Enforcement, European Commission for the Efficiency of Justice (CEPEJ), CEPEJ (2009) 11 REV2.

² As adopted at the 26th CEPEJ Plenary Session of 10-11 December 2015 (CEPEJ(2015)10).

³ Rec(2003)17 under III.6.

Though a creditor may have access to certain (public) registers, the main part of the principles focuses on the access to information by the enforcement agent. Such enforcement agents should be given speedy and preferably direct access to information on the debtor's assets. CEPEJ encourages states to consider making such information available to the enforcement agent by Internet, if possible, through a secured access. CEPEJ recommends establishing a unique multi-source restricted access database about debtor' attachable assets (i.e. ownership rights over a vehicle, real estate rights, payable debts, tax returns, etc.). The development of such a database, in the view of CEPEJ will demand co-operation between the various organs of state and private institutions, subject to compliance with the data protection legislation. For this purpose, protocols and uniform procedures should be drawn up to ensure inter-departmental co-operation, on one hand, and cooperation between these departments and enforcement services, on the other hand⁴.

In order to facilitate efficient enforcement, the CEPEJ 2009 Guidelines recommend that all state bodies, which administer databases with information required for efficient enforcement, should have a duty to provide the information to the enforcement agent, within an agreed time limit if such information is compatible with data protection legislation⁵.

The access of the enforcement agent to information should be restricted to that data pertaining to the pending enforcement procedure. CEPEJ 2009 Guidelines states that enforcement agents must bear a responsibility for maintaining confidentiality when secret, confidential or sensitive information comes to their attention in the course of enforcement proceedings. For this reason, enforcement agents will need to be subject to thorough control and defendants should be provided with effective legal means to ensure that any inquiry about their personal assets is justified. In case of a breach of this duty, measures of disciplinary liability should be applicable, along with civil and criminal sanctions⁶.

Monitoring and control

From the international standards it is obvious that the legislator has an important role in the establishment of the working environment of the enforcement agent. The CEPEJ 2009 Guidelines comes with concrete suggestions, such as defining certain quality standards⁷:

In order to undertake quality control of enforcement proceedings, each Member State should establish European quality standards/criteria aiming at assessing annually, through an independent review system and random on-site inspection, the efficiency of the enforcement services. Among these standards, there should be: [...]

- *Processes which should be documented*
- *Form and content of the documents which should be standardised*
- *Data collection and setting up of a national statistic system, by taking into account, if possible, the CEPEJ Evaluation Scheme and key data of justice defined by the CEPEJ*
- *Performances of enforcement agents*

⁴ CEPEJ 2009 Guidelines under 40-42.

⁵ CEPEJ 2009 Guidelines under 43.

⁶ CEPEJ 2009 Guidelines under 45.

⁷ CEPEJ 2009 Guidelines under 75-77.

Additional to defining quality standards the control over the activities of the enforcement agents is also of importance. CEPEJ 2009 Guidelines define control as follows:

Control of activities means control of the lawfulness of the actions carried out by the enforcement agents. It may be carried out a priori (before the enforcement agents act) or posteriori (after the enforcement agent acts) by a “disciplinary” authority⁸.

The use of ICT in such monitoring and control is inevitable. A supervision or control might result, when necessary in disciplinary sanctions:

The authorities responsible for supervision and/or control of enforcement agents have an important role in also guaranteeing the quality of enforcement services. The Member states should ensure that their enforcement activities are assessed on an ongoing basis. This assessment should be performed by a body external to the enforcement authorities (for example, by a professional body). The Member states' authorities should clearly determine the control procedures to be performed during inspections⁹.

Communication

States should take measures to ensure that information with regard to the enforcement process is available and that there is transparency of the activities of the court and those of the enforcement agent at all stages of the process, provided that the rights of the parties are safeguarded¹⁰.

Important in the communication with parties is the service of documents. With regard to the service of documents Rec(2003)17 states:

Enforcement procedures should:

Provide for the most effective and appropriate means of serving documents (for example, personal service by enforcement agents, electronic means, post)¹¹;

This principle underlines the importance of a well-developed system of service of documents. The above-mentioned principle invites States to employ the most effective and appropriate methods of service, if necessary through the use of electronic means. The 2009 Guidelines underline the importance of a well-functioning, rapid and assured system of service: “*Due notification of parties is a necessary element of a fair trial, in the sense of Article 6.1 of the European Convention on Human Rights¹².*”

The CEPEJ 2009 Guidelines¹³ also suggest developing templates for documents that can be used to notify parties on the enforcement actions or legal proceedings.

⁸ CEPEJ 2009 Guidelines, glossary.

⁹ CEPEJ 2009 Guidelines under 78-79.

¹⁰ 2009 Guidelines under 9.

¹¹ Rec(2003)17 under II.2.d.

¹² CEPEJ 2009 Guidelines no. 17.

¹³ CEPEJ 2009 Guidelines no. 18-22.

Communication not only relates to the service of documents. More general the 2009 Guidelines state that at the stage of the enforcement of decisions, swift (such as email) communication between the court, the enforcement agents and the parties should be possible¹⁴.

The powers and responsibilities of enforcement agents should be clearly defined and delineated in relation to those of the judge¹⁵.

This principle reasserts the importance of clearly defining the powers and responsibilities of enforcement agents in particular in relation to those of the judge to ensure that there is a clear delineation of authority in the carrying out of the enforcement process.

The 2009 Guidelines also go into more detail on the role of courts in the enforcement process:

Notwithstanding the role of the court in the enforcement process, there should be effective communication between the court, the enforcement agent, the claimant, and the defendant¹⁶.

A good system of communication also means that information on the progress of enforcement is available:

All the stakeholders should have access to information on the ongoing procedures and their progress¹⁷.

Information needs to be available for potential parties to enforcement procedures. Such information should include information on the efficiency of the enforcement services and procedures, by establishing performance indicators against specified targets and by indicating the time different procedures might take¹⁸.

The CEPEJ 2009 Guidelines encourage member States to set up a:

“unique multi-source restricted access database about debtor’ attachable assets” and “invited to consider allowing enforcement agents to reuse information on the defendant’s assets in subsequent procedures that involve the same defendant, subject to a clear and precise legal framework (i.e. setting strict timeframes for data retention, etc.)”.

Each authority should provide for the adequate supervision (having regard to any relevant case law of the ECtHR) of the enforcement process and should bear responsibility for the effectiveness of the service. Accountability may be achieved by management reports and/or customer feedback. Any reports should allow for verification that the judgment has been executed or (if not) that genuine efforts have been made within a reasonable time whilst respecting the equality of the parties¹⁹.

Finally, also the reporting on individual cases is of importance: CEPEJ 2009 Guidelines prescribes that the defendant should be informed as to the extent of his liability during the enforcement process. In

¹⁴ CEPEJ 2009 Guidelines no. 66.

¹⁵ Rec(2003)17 under IV.5.

¹⁶ 2009 Guidelines under 10.

¹⁷ 2009 Guidelines under 10.

¹⁸ 2009 Guidelines under 11.

¹⁹ 2009 Guidelines under 12, 21 and 22.

this notification through the enforcement agent may play a role. Once the claimant's interests are satisfied, this information should also be communicated to the claimant. The Guidelines encourage States to establish clear regulations governing the obligation to report pending and/or completed enforcement procedures (e.g., by the way of a public register where the outcomes of enforcement actions against individual defendants are recorded).²⁰ Also here, the use of ICT will improve the efficiency of the system.

3. The use of ICT in the Azerbaijan enforcement system

The data in this chapter are based on a questionnaire as it was developed by the experts. Due to the COVID-19 pandemic the collection of data on the Azerbaijan enforcement system had to be adjusted. The questionnaire was used as a basis for interviews with the major stakeholders (i.e. the Directorate General of Enforcement of the Ministry of Justice of Azerbaijan, and the Directorate of Information and Communication Technologies of the Ministry of Justice of Azerbaijan (ICT Department). These interviews were carried out by national experts.

3.1. The e-Enforcement policy and environment

With regard to e-Justice there is no strategy. However, such strategy is currently being developed. The e-Justice strategy, which is developed in cooperation with the Ministry of Justice will also pay attention to the e-Enforcement information system.

Presently, the enforcement organization at national level is not competent to establish rules on the use of IT, profession wide. However, the experience and recommendations of the State Agency for Public Services and Social Innovations under the President of the Republic of Azerbaijan (ASAN) as well as Ministry of Transport, Communications and High Technologies (MTCHT), are considered. Moreover, the Directorate General of Enforcement (DGE), the ICT Department, and other relevant departments of Ministry of Justice can issue statements on matters relating to procedure and/or enforcement measures through electronic way, provide e-Services and integrate those services into the e-Gov. portal (when required).

With regard to the e-Signature, it is worth to mention that each enforcement agent, according to the law, has the *possibility* to use an electronic signature. However, in practice this is not a choice on a voluntary base: the presence of an electronic signature is a principal condition for using the functionality of the e-Enforcement information system. The Law "On Electronic Document and Electronic Signature" is taken as legal basis. The Ministry of Justice and the MTCHT are responsible for the issuance of the electronic signature.

3.2. The access to information

²⁰ CEPEJ 2009 Guidelines under 72 and 73.

Access on the domicile

Through the e-Enforcement information system (EIS), information on the domicile of the debtor can be provided.

Access to information on assets through the e-Enforcement Information System (EIS)

All State bodies which administer databases with information required for efficient enforcement and other bodies that hold information on enforcement, must provide the enforcement agent in the framework of enforcement proceedings with information relating to the debtor.

This access is judged satisfactory, due to the lack of all integrations: fast, easy, automatic, electronic, direct, secured and mostly reliable, low cost or cost free, but is sometimes incomplete and, in some cases, unreliable.

The e-Enforcement information system (EIS), can provide access to information on the assets of the debtor. The enforcement agent in charge of enforcement has access to certain information and/or under certain conditions (electronic data from integrated entities).

The registries and/or databases include almost all categories of information (excluding amount of funds in banks, taxes paid), including:

- Date and place of birth.
- Telephone number.
- Nationality.
- email address(es).
- Workplace and employer.
- ID number for legal persons.
- Amount of the salaries.
- Information on the bank accounts.
- Bank account status. Because of the bank secrecy there is no information available on the balance of the account.
- Amount of taxes paid. Only the amounts paid on tax dispute cases are visible.
- Movable tangible goods as far as they are registered.
- Real estate rights.
- Vehicles.
- Other access to information: border crossing, e-Court information system, personal ID (passport) information, close relatives, driver's license, inheritance, contact information (landline and mobile), migration information of foreigners, diploma, refugee status, contracts on utilities (Azersu (water supply) and Azerigas (gas supply)), notarial acts.

There is no access to the registration of ships and airplanes. Also, some bank information is not available – information on bank account is available, but information on the balance is not available prior to an attachment on such account. This access can be instantaneous, depending on the

integration. This also applies to the information available to the enforcement agent by Internet through a secure access.

The enforcement agent has access to the required information through the Internet, as a result of integration of relevant electronic databases with the e-Enforcement information system, by submitting instant inquiries. Information is currently accessible electronically from the following entities:

- Population register.
- The debtor's employers.
- The Tax authorities.
- The Social security services.
- Bodies which administer public registries.
- Land registries services.
- Motor vehicles register.
- Matrimonial property register (Unified Real Estate Register).
- Courts.
- In general, all State bodies which administer databases with information required for efficient enforcement (There is access to most of them, the work on others is underway).
- Other: Azersu, Azerigaz and mobile phone numbers of individuals.

If electronic access is not available, the enforcement agent may do an official request. This refers, for example, to:

- Postal services.
- Banks.

Debtors register

The e-Enforcement Information System (EIS) also functions as a register of debtors.

Cross border access to information

Unless there is an intergovernmental agreement on legal assistance, for foreign creditors / foreign enforcement organs there is no access to information about the debtors' assets.

Recognition and enforcement of decisions of courts and other bodies are regulated by multilateral conventions to which the Republic of Azerbaijan is party²¹. At the same time, recognition and

²¹ The Republic of Azerbaijan is a party to the following multilateral international treaties:

- The "Convention on Recognition and Enforcement of Foreign Arbitral Awards" of 10 June 1958.
- The "Treaty on the Manner of Resolving Disputes related to Commercial Activities" signed in Kiev on 20 March 1992.
- The "Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters" signed in Minsk on 22 January 1993.
- The "Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters" signed in Chisinau on 7 October 2002.

enforcement of such decisions are reflected in bilateral international agreements on legal assistance concluded with several countries (among European countries: Bulgaria, Lithuania, and Moldova).

It would be beneficial for the cross-border cooperation, as it was indicated by the interviewees, to set up of a common system for an exchange of information at the international level between enforcement authorities / agents or official register keepers.

3.3. The directory of enforcement agents

In the state enforcement system, the "register" of enforcement agents is maintained by the personnel service of the Ministry of Justice. Article 6.18 of the Regulations of the Human Resources Department of the Ministry of Justice relates to the establishment of a centralized database (register) of judicial employees. This register is kept electronically and is normally updated electronically, in real time.

The register includes the following information on the enforcement agent:

- Quality (enforcement agent).
- Date of birth.
- Address and seat of the office.
- Phone.
- Email address.
- Personal identification number.
- Date of appointment.
- Date of assumption of office.
- Date of removal from office.
- Disciplinary measures imposed against the (assistant) enforcement agent.
- Other namely: education, language skills, awards, rank.

The Human Resources Department of the Ministry of Justice of Azerbaijan oversees the maintenance of this register which is not accessible to the public and is not available On-line.

3.4. Enforcement case management

The e-Enforcement information system (EIS), is the unique case management system for all enforcement agents. It is maintained by the Ministry of Justice on a central level. The technical

Work is currently being done to join "*the Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance*" adopted during the Hague Conference on Private International Law and aimed at ensuring the effective international recovery of child support and other forms of family maintenance, establishing a comprehensive system of co-operation between the authorities of the Contracting States, providing for the recognition and enforcement of maintenance decisions and requiring effective measures for the prompt enforcement of maintenance decisions. Thus, this year draft laws and relevant documents with regards to the accession to the Convention have been prepared and submitted to the Cabinet of Ministers of Azerbaijan Republic.

standards are covered by the “*Rules of formation, maintenance, integration and archiving of state information resources and systems*” approved by the Decree No. 263 of the President of the Republic of Azerbaijan of 12 September 2018. The ASAN determines the technical requirements.

The e-Enforcement information system is the only case management system for the profession. The Ministry of Justice (DGE) is responsible for its development, together with the “*Judicial Services and Smart Infrastructure Project*” co-financed by the Government of Azerbaijan (Ministry of Justice) and the World Bank.

This project is currently handing over the system from the Project Implementation Unit of the project to the ICT Department.

3.5. Service of documents

General rules on the service of documents

An enforcement agent in Azerbaijan cannot serve extrajudicial and/or judicial documents in civil and/or criminal matters relating to ongoing litigation or non-monopolistic activity. The main reason is that the activity of the enforcement agent only concerns enforcement. Court documents are served by the communication bodies or special persons charged with the delivery of court documents (article 135 Code of Civil Procedure).

Regarding the notification of enforcement documents, it is personally exerted by the enforcement agent or an assistant or employee of the enforcement agent under his responsibility. Specific rules apply when the documents are served by an enforcement agent on some cases such as evictions. Some documents must be served by an enforcement agent to confer them a legal value, regardless of whether they are served in person or by mail. The service of document has specific probing value.

To be valid, the documents served by the enforcement agent must comply with single approved templates which include the following elements:

- The date of service to the addressee.
- In certain cases, the time of service to the addressee.
- The coordinates of the enforcement agent who effected the service (e.g., name(s), quality, remains and any information: phone, fax, email).
- The signature of the enforcement agent having served the document.
- Information on enforceable titles, as well as necessary information on the parties mentioned in Article 7 of the Law on Enforcement (information on the enforceable title, details on the claimant, details on the debtor, identification of the enforcement agent).

In case of personal service to the address of the addressee is impossible, the document can also be served to another person, together with official submission of the document via SMS notification (Article 135 of the Code of Civil Procedure), if:

- The recipient accepts the document.
- The recipient can receive the document.

- The recipient indicates: name, first name(s), address, relation to the addressee (kin, friend, employee).
- The confidentiality of the document is respected (handing of the document placed in a closed envelop).

In case the service to the addressee was not possible while his domicile was confirmed, the document is considered to be delivered when it is served to one of the adult family members living together with the addressee. In case family members are not there the documents can be served to the municipality or the executive body in the area, or the workplace.

When the addressee has no longer a known domicile, residence of workplace in the country, the enforcement agent sends the addressee a letter to the last known address. A search for the addressee is also possible.

Electronic service of documents

Documents can be served electronically by enforcement agents under certain conditions, via email and SMS notification. The prior agreement of the addressee is not required. If an addressee provides an email address, an enforcement agent may accept it as an official address. The Code of Civil Procedure makes a distinction based on the applicability of the “E-court” Information System. If persons participating in civil cases in the courts where the “E-court” Information System is applied, are registered in the “E-court” Information System, the court documents are entered into their “electronic cabinets” created in the same system and the information on that is sent to them electronically through this system (via e-mail, SMS, etc.). If the persons participating in civil cases in the courts where the “E-court” Information System is being applied are *not* registered in the “E-court” Information System, the information about the court documents is given to them via this system by SMS to the mobile phone number provided by the person. Regarding commercial cases, the court documents are entered into their “electronic cabinets” created in the “E-court” Information System and the information on that is sent to them electronically through this system (via e-mail, SMS, etc.)” The use of electronic service is not frequent, but the use of SMS is.

e-Service could accelerate the enforcement process but the issue of the confirmation of delivery (reading) needs to be solved.

3.6. Enforcement processes

Enforcement, general

Documents, including court decisions and other enforceable documents are sent electronically for enforcement from:

- Supreme court (Possible, its application is intended).
- Court of appeal (Possible, its application is intended).
- First instance court.
- Notary offices.

According to the provisions of the law, the coercive enforcement authority belongs to the enforcement agent. Pursuant to Article 150 of the Code of Administrative Offenses, the administrative bodies are authorized to enforce enforcement decisions they issued themselves. Besides (Articles 116 and 118 of the Code of Administrative Procedure), a judge or the person designated by the judge may enforce it.

The enforcement agent exerts the following activities:

- **Attachment of movable goods in the hands of the debtor** (major activity, in case of urgency, at his own discretion (with protocol); common activity based on the court decision by filing a submission with court).
- **Attachment of movable goods in the hands of a third party** (common activity, based on the court decision by filing a submission with court).
- **Attachment of immovable** (major activity in case of urgency, at his own discretion (with protocol); common activity based on the court decision by filing a submission with court).
- **Attachment of earnings** (main activity. The enforcement agent makes a direct claim).
- **Attachment on bank account and other savings** (major activity, in case of urgency, at his own discretion; common activity based on the court decision by filing a submission with court).

Attachment on movables

The enforcement agent can order the auction sale of the attached movables. However, the auction is not done by the enforcement agent, but by specialized organizations.

The use of e-Auctions is possible, but only limited to tax debts. In that case the buyer must be registered in advance and pay a deposit. The duration of the auction is 48 hours for the initial bid. The interval between bids during the auction is set at 5 minutes. When no bid is done or the bid is lower than the minimum price, the property may be offered for sale during a second auction.

Attachment on immovable

The enforcement agent can order the public sale of the attached immovables. However, the sale itself is conducted by specialized organizations.

The draft Enforcement Code envisages the possibility of implementation of the attachment of immovables through the use of artificial intelligence.

When electronic auctions are possible, the duration of the bidding is provided in the draft "*Rules of conducting electronic auction on the basis of the order of the enforcement agent*". The duration of the auction is 48 hours for the initial bid. The interval between bids during the auction is set at 3 minutes.

Attachment on bank accounts

The enforcement agent has access to information on the bank accounts of debtors electronically, prior to the attachment, through the database of the STS (Tax authority) providing those debtors are

taxpayers. However, such information is only limited to information whether a debtor has an active account with a certain bank or not. There is no access to the amount of funds on such bank account(s).

Regarding the communication with banks, such contacts with individual banks are done in written.

Electronic attachment of bank accounts is not possible. Communication with the bank on the transfer of any funds cannot be done electronically either.

Attachment on salary

The enforcement agent has access to information on the salary of the debtor, through the Social security institutions and through the e-Enforcement information system (EIS). Information can be obtained electronically from the relevant information resource of the Ministry of Labour and Social Protection of Population.

This procedure cannot be carried out electronically. Communication with the employer on the transfer of any funds cannot be done electronically either.

3.7. The use of IT within the monitoring and control mechanisms

The enforcement agent is submitted to a control of his activities by the DGE and/or the competent judge.

This control includes:

- All the statutory professional activities.
- The mistakes or abuses that could be perpetrated during his activities.
- The lack of activities or the excessive length in exerting his activities.
- The non-enforcement of decisions against public authorities.
- Excessive costs or fees.
- Unlawful practices.
- Absence or lack of information.

Besides the regular control through periodic on-site inspections, under certain circumstances, the control can also be carried out unexpectedly, based on complaints of legal entities and individuals, government agencies, as a result of internal analysis, based on the appeal of the heads of local institutions or the appeal (address) of the court.

The management information obtained from EIS, is used to measure the progress / efficiency of enforcement, at central level. Such management information is shared with the local staff. The indicators include:

- **Case flow figures:**
 - Backlog at the beginning of the period
 - Received cases during a certain period

- Closed cases during a certain period
- Unsolved cases at the end of the period
- The enforcement measures being taken
- Number of cases per type of creditor
- **Number of cases by basis for the enforcement**
These indicators are used outside the current CMS.
 - Enforceable title
 - Authentic documents
 - Number of enforcement actions by type
- **Average (or, better, median) age of open cases:** “on hold” cases and on some types of cases (alimony claims, child visitation).
- **Success rate**
- **Collection rates per claims-value ranges and age of claim**
- **Closing rate**
- **Time-lapse for Courts to decide on objections:** objections to the enforcement agent’s actions are submitted to the head of the enforcement body or the Chief Enforcement Officer in accordance with the legislation. Electronic control is possible. Reviewed in 10 days.
- **Number of sales of movable property, and their success rate:** Division on credit debts of the DGE (out of the system).
- **Sale price of real property as percentage of the estimated value:** Division on credit debts of the DGE (out of the system).
- **Number of offers in the sale of real property if by auction:** Division on credit debts of the DGE (out of the system).
- **Number of amicable settlements through e.g., payment in instalments**
- **Liquidity:** limited use only: for cases directed to garnishing salaries
- **Solvability:** It is possible to determine, but the reports are not made.
- **Savings obligation** (money received from debtors minus the prepaid expenses and minus the fees on which the enforcement service is entitled): accountability exists, but not part of the e-Enforcement information system.

3.8. Technical aspects

There is a national interoperability framework in e-Justice. There are national standards for e-Justice, including semantic standards (clerical rules), and regarding access policies. They are defined in the State Program for the Development of Justice.

A national secure e-Delivery infrastructure supports electronic service of documents and exchange of sensitive information, namely: e-Government, AZSTAT network. The e-Delivery platform is protected by the ASAN and the Special State Protection Service.

The hosting of services and data in the judicial system is organised within the Ministry of Justice's own Data Centre (Main and Reserve - TIER 3 certified by the UPTIME institution) within Azintelecom Data Center premises.

The technical support service is articulated at justice level. The response time for ICT support service during working hours is one hour (depending on the information system).

An eID scheme suitable for cross border e-Justice is not on the agenda. Azerbaijan has enforced the eIDAS e-Signature and e-Seals requirements (the Laws of the Republic of Azerbaijan on "*Electronic signature and electronic document*" and on "*Information, informatization and protection of information*").

Azerbaijan supports national ICT processing services such as voice recognition, electronic recording of proceedings relating to courts and notaries. These services, however, are not foreseen in enforcement proceedings.

Azerbaijan supports the collection and use of electronic evidence in courts. No information is available regarding collection and use of electronic evidence in enforcement proceedings.

3.9. ICT Training

There is an e-Skills training policy and programmes for professionals in the e-Justice sector. These measures are included in the work plan (Regulations of the Ministry of Justice).

On the question of the existence of an e-Skills training policy and programmes for enforcement agents in the e-Justice sector, the DGE referred to the relevant training programs of the Academy of Justice. However, the ICT department replied that such programs are in preparation.

4. Recommendations on the development of ICT solutions to support the national enforcement system

4.1. The e-Enforcement policy and environment

Though Azerbaijan is very ambitious when it comes to the development of e-Justice applications, an overall e-Justice strategy, including e-Enforcement is still missing.

The experts are of opinion that the information dissemination process development through modern electronic means is significant for the overall judicial system: it will introduce efficiency assessments and will simplify and shorten legal processes.

Development and implementation of information technology in the enforcement profession should be considered part of the overall e-Justice strategy. The e-Developments, for example, within the court system are closely connected with e-Enforcement developments.

The policy of implementing the IT tools (e-Fines, e-Auction and the exchanging data only through electronic means, e-Attachment, e-Service of documents, e-Control et cetera.) should be considered jointly by the Government, the Ministry of Justice and DGE. This will enable the introduction of unified procedures for organizing electronic data interchange between executive institutions (enforcement agents, taxes) and credit institutions as required for ensuring compulsory execution (collection), thus making debt collection procedures more efficient.

Having a closer look at the e-Justice / e-Enforcement environment in Europe, we see following developments which might also be considered by the Azerbaijan authorities:

- Communication: the development of electronic portals that make it possible for all judicial bodies, lawyers, enforcement agents and notaries to communicate electronically.
- Electronic access for parties to their files and electronic communication with the enforcement agent.
- The development of a database of judgments and rulings: such database of judgments and rulings ensures effective and immediate delivery of copies of judgments in an electronic format to lawyers, enforcement agents and notaries upon request.
- The development of e-Service tools: electronic service of documents constitutes an additional stage in the digitization of justice.
- Pro deo digital platform: the development of a digital platform as a central application for processing requests from persons who are entitled to free legal aid.
- The e-Payment: the development of a platform for electronic payment to judicial bodies for legal professions.
- The use of the electronic signature in judicial communication.
- The electronic debtors register and electronic register of seizure acts.
- The development of e-Auction.
- The development of tools for the electronic attachment of bank accounts.
- Modernization of record keeping: storing all data, including documents online.

Finally, a critical look at the legislation facilitating e-Enforcement might be useful. When it comes to e-Enforcement, a well-developed legislative framework will function as a steering force: legislation describing the structure and content of databases and their interoperability as well as regulating the rights of access and the due and legal handling of relevant information will be a useful tool to create a workable e-Enforcement system.

4.2. The access to information

Access to information is critical in the context of e-Enforcement. Without the existence of electronic databases where information on the subject of enforcement can be found, e-Enforcement cannot be ensured.

Regarding such access to information two critical elements are of importance: (a) the exhaustive content of databases and (b) the interconnection of the databases.

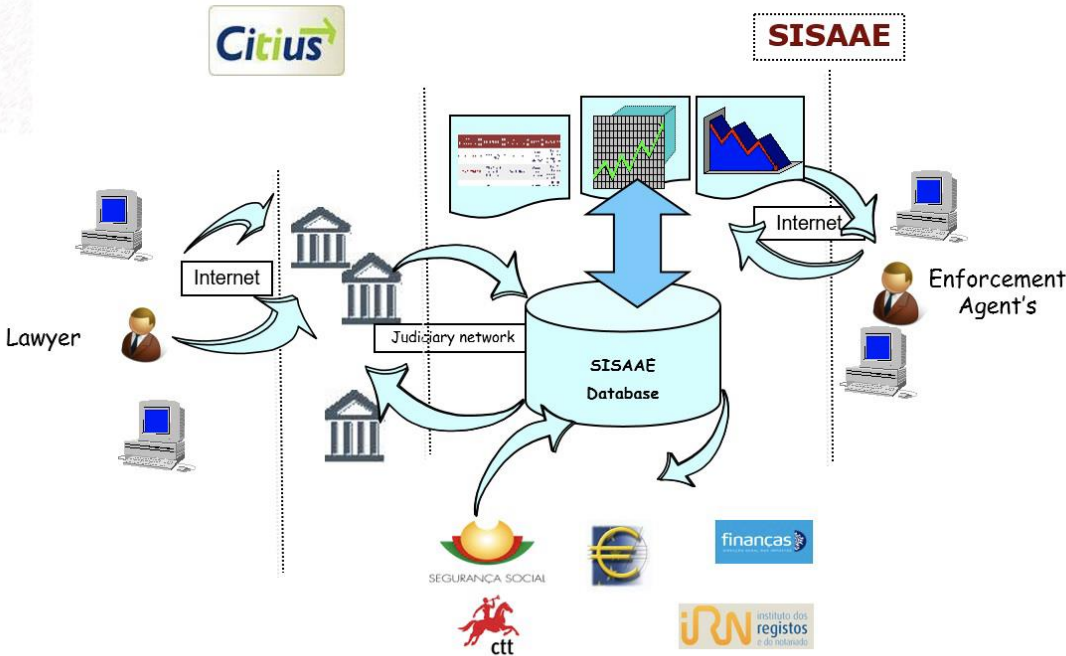
To a large extent, the databases with information on the debtor’s assets meet such requirements.

However, Azerbaijan might consider extending such access to information.

The recommendation Rec(2003)14 of the CoE’s Committee of Ministers to member states on the interoperability of information systems in the justice sector includes in the requirements for interoperability, the consideration of the development of an integration strategy to allow for system-to-system communication. Co-operation between the various organs of state and private institutions, subject to compliance with the data protection legislation, is essential for enabling a speedy access to the multiple-source information on defendants’ assets.

If we take as an example the Portuguese enforcement system, such system has one principal Governmental electronic platform (Citius)²². The enforcement agents have at their disposal several informatic platforms, being the most important denominated as SISAAE. SISAAE is able to communicate, through a Webservice, with CITIUS. The SISAAE is an informatic tool that allows enforcement agents to deal with all the procedural transaction in the enforcement proceeding. With this tool, enforcement agents can send and receive all the notifications and communications between the intervening parties and between any third party related to the enforcement process. SISAAE enables enforcement agents to have direct access to all the databases on the debtor assets such as taxes, financial databases, labour, social security, commercial registers, register of cars, boats, planes, immovables and other property, bank accounts and stock exchange shares, and so on. SISAAE allows them immediately and online to confiscate and/or make a seizure.

Organization chart of SISAAE



²² <https://www.citius.mj.pt/portal/default.aspx>

Access on the domicile

Through EIS, information on the domicile of the debtor can be obtained.

Yet, a problem that might arise is the accuracy of the population registers. As the experts noted in other countries, one of the reasons for such inaccuracy is the lack of a sanction system for wrong registration of the domicile. The introduction of fines for wrong registration or refusal to update the information in the population register could make the system more reliable, (see for example the Netherlands).

Inaccurate information means that the enforcement agent needs to use alternative resources to determine the domicile of a debtor. Certain Government agencies, such as the Tax Authority have more accurate data about the place of residence of a person. Taxes normally use the address from which the person made an application to the Tax Board (e.g., for the refund of income taxes). It is positive that the Azerbaijan enforcement agent also has access to such information.

Access to information on assets through the e-Enforcement Information System (EIS)

It is obvious that the efficiency of enforcement proceedings will increase when the access to information is well facilitated. In Azerbaijan, the enforcement agent, by submitting instant inquiries, has access to the required information through the Internet, as a result of integration of the relevant electronic databases with the e-Enforcement information system.

Azerbaijan already has a well-developed system to regulate the electronic access to information. Should Azerbaijan consider to further develop this system, attention could be given to the interconnectivity.

Especially the Baltic countries have well developed IT systems that enable the enforcement agent to obtain information immediately, easily and from different sources. For example, *Latvia* in 2012 introduced REC, the Register of Enforcement Cases. Besides the record keeping of enforcement cases, this system is also interconnected to other state information systems (such as for example, the State Register of Vehicles and Their Drivers, State Revenue Service and State Social Insurance Agency databases, the information systems held by the Register of Enterprises, the Cadastral Register, State Unified Computerized Land Register). These interconnections ensure the receipt of online information in respect of the domicile and property and income of debtors registered in REC. Some registers, e.g., State Unified Computerized Land Register, ensure data monitoring: the Register of Enforcement Cases receives a notice as soon as the debtor will register his immovable property ownership in the Land Register, making it possible for enforcement agents to record a recovery notation in respect for the debtor's property. A similar Enforcement Agent Information System (AIS) is operational in *Lithuania* and in *Portugal* (SISAAE).

In *Lithuania*, the debtor's data on incomes and assets are collected through the Enforcement agents' Information System (AIS) (enforcement case management system). This system processes data from

30 different registers which are able to do data exchange electronically.²³ In addition, the enforcement agent receives (electronic) data from all banks.

The establishment of a debtors register or register of seizure acts

The e-Enforcement Information System (EIS) also functions as a register of debtors. In this respect it might be interesting to point to the developments in other countries such as Netherlands, Belgium, and Lithuania. In those countries there is also a Register of Property Seizure Acts. The access to such register differs per country. For example, in Lithuania this register is considered a public register, in other countries (Belgium) the access is limited (enforcement profession and taxes), whereas in Netherlands the access is only permitted by the enforcement agents.

4.3. The directory of enforcement agents

The directory of enforcement agents as kept by the Human Resources Department of the Ministry of Justice is in line with the organization of such registers in other countries. In other countries this is considered a public register.

One remark that could be made is the access to the directory. In Azerbaijan the register is not accessible to the public and not online. For example, within the European Union, the European Union of Judicial Officers, together with its partners is developing a publicly accessible European database of enforcement agents of all EU member states (FAB; Find a Bailiff project).

4.4. Enforcement case management

The Azerbaijan e-Enforcement information system (EIS) as a unique case management system for all enforcement agents already is well developed. The electronic data related to enforcement files in an enforcement agent's office are processed, entered in accounts and stored using information and electronic communications technologies in accordance with the procedures laid down by the Minister of Justice upon coordination with the DGE.

Azerbaijan authorities might consider following trends in Europe.

Enforcement files and the information related to enforcement proceedings could be processed *exclusively in an electronic format*. In case of an electronic enforcement file, the written information received and forwarded by the enforcement agent is subject to digitization. Written documents could be processed, electronically stored and destroyed in accordance with prescribed procedures. The digital copy must indicate the time of digitization of a document and a person who has performed the digitization of the document. The digital copy must bear an advanced electronic signature of the

²³ The Regulation on the Enforcement agents' Information System (AIS) (is not available in English) – list of registers from 19.1 paragraph- 19.30 paragraph. Accessible at: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.431702?jfwid=pflfev2t6>

person who has performed the digitization. In case a written document cannot be digitized (e.g., for legal reasons), an enforcement agent adopts a reasoned statement to store documents exclusively in a written format and enters a note thereof in the electronic enforcement file.

Here it is also worth mentioning that in many European countries, parties to enforcement proceedings and other persons concerned, in accordance with procedures laid down by the Minister of Justice and/or professional organizations, have the right to access an electronic enforcement file and obtain copies of the documents contained therein. Moreover, such persons, in accordance with the procedure laid down by laws, have the right to access completed enforcement files. In such case, the enforcement agent's office provides the necessary technical conditions for the exercise of these rights.

The parties to enforcement proceedings and the persons concerned also have the right to submit to an enforcement agent all documents and information related to enforcement proceedings in electronic format and using means of electronic communications. In such case identity of such persons could be proved through, for example, the use of an electronic signature or by using other means (e.g., using the electronic banking system as is the case in Lithuania) or have themselves registered in the enforcement case management system.

4.5. e-Service of documents

Though e-Service of documents could make the enforcement process more efficient and effective, so far, e-Service is not common in Azerbaijan. It seems that the main reason is the confirmation of delivery (reading).

In this respect, the experts would refer to the trend within Europe regarding a dematerialized notification procedure²⁴. In general, notification of a document can be done electronically, providing certain prior conditions must be fulfilled:

- The circumstances of the case must allow for this.
- The recipient of the deed (private individual or legal entity) must hold an "electronic judicial address"²⁵ or, failing this, an "elected electronic address for service".²⁶ In the latter case, express prior consent – which can be obtained by dematerialised means – is required.

These requirements, for example in Belgium, led to the introduction of a special e-Notification platform. This platform acts as:

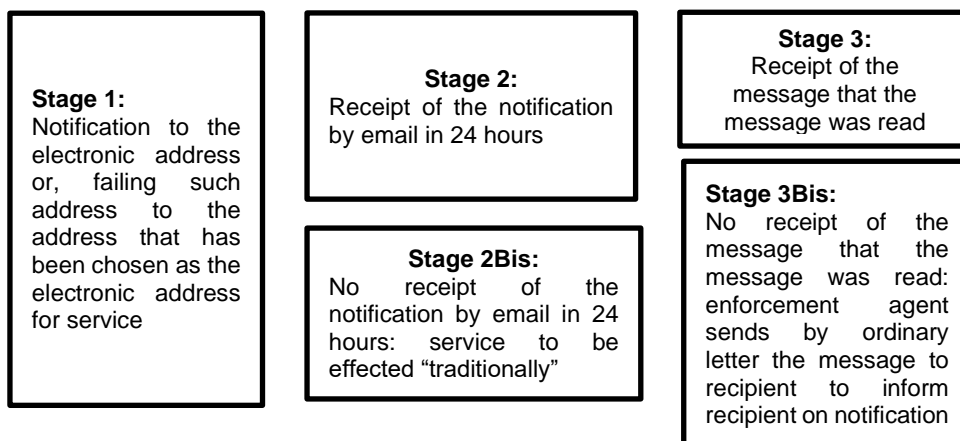
- The authentic source for all records of notification and service: all notifications are recorded there with all the necessary additional information;

²⁴ The recently adopted EU Service Regulation 1784/2020 also introduces e-Service of judicial and extra-judicial documents.

²⁵ "Electronic judicial address" (Belgium) means "the unique email address assigned by the competent authority to a private individual or a legal entity".

²⁶ "Elected electronic address for service" (Belgium) means "any other electronic address to which notification can be made in accordance with the Judicial Code, following express prior consent of the recipient for every notification in question".

- The e-Notification platform is a communication system through which the requests for service emanating from the public prosecutor's office are handed over to the territorially competent and available enforcement agent;
- The e-Notification is also the application that effects electronic notifications;
- (In the near future) the e-Notification platform replaces the role of the public prosecutor for service of addressees without a known address.



4.6. Enforcement processes

Attachment on movables

Contrary to other European countries (e.g., Estonia, Lithuania, Portugal), in Azerbaijan movables can not be attached electronically.

The experts want to point to the system as it is developed in Lithuania. In this country, the attachment of the movable property (either registered or not) is realized by sending the entry regarding recovery (seizure act or restriction on disposition) to the Register of Property Seizure Acts. The data of this Register of Property Seizure Acts must be followed by all other registers, i.e., if the debtor wants to (de)register a tractor or a vehicle, he will not be able to do so, because the Tractor Register and the State Register of Vehicles will see that this vehicle is seized.

In most European countries (an exception is Greece where the notary is responsible), the public sale of movables is carried out by the enforcement agent.

Within Europe, the use of e-Auctions has become very common. In a lot of countries, the e-Auction is obligatory. The attached goods are sold an electronic auction platform developed and administered by the enforcement authority. The enforcement agent uploads the information on the seized goods in such e-Auction system. The term of the e-Auction is fixed for a certain period. Any user registered in the platform can submit a proposal on the assets that are auctioned, up to a certain date and time limit. The decision on the sale is communicated electronically with the creditor, the debtor and the creditors.

Attachment on immovable

E-Enforcement of immovables depends per country. A complete electronic enforcement procedure of immovables requires a full digitalized cadastre, which is not the case in a lot of countries. In those countries that have a dematerialization of the enforcement of immovables, the seizure is done online through the registration of the act of seizure in the Cadastre.

Public sale of the immovables through e-Auction is well-developed in a lot of countries.

Attachment on bank accounts

Though e-Enforcement on bank accounts is common and well-developed in most European countries, presently, it is not possible in Azerbaijan. The experts recommend the introduction of e-Attachment of bank-accounts²⁷.

For example, in *Estonia* the attachment on the bank account is done electronically by the e-Seizure system. This electronic seizure system is an information channel created between the enforcement case management system, the Register of Taxable Persons (the Tax Board) and the credit institutions information system. The system aims to guarantee the seizure of the debtor's account and to pass on requests about the acts related to the management of seizures electronically to the credit institutions, to allow for making queries about data in the possession of credit institutions and to guarantee that the expressions of will of the parties are sent immediately and securely. Enforcement agents can access the debtor's bank account balance electronically via this system (also before the seizure of the bank accounts). The enforcement agents have no access to the transaction entries in the debtor's bank account, but they may contact the specific bank for information about the bank accounts via the e-Seizure system before seizing the accounts. The bank seizes the account in accordance with the seizure act which is electronically sent by the enforcement agent. The money in the account is transferred to the occupational account of the enforcement agent in the amount indicated in the seizure act. If there is less money in the account at the time of the seizure than indicated in the seizure act, the amounts received in the account after the seizure will also be deemed as seized to the extent of the shortfall. The amounts received in the account after the seizure are transferred to the occupational account of the enforcement agent until the amount indicated in the seizure act has been covered. The exchange of information about the transfers of money in the event of the seizure of a bank account takes place electronically.

Rather than doing an attachment on the bank account with every individual bank, several countries meanwhile coordinated the electronic attachment on the bank account through one channel only. For example, in *Portugal* (but also for example *Serbia*) the enforcement agent sends an electronic request to the Bank of Portugal (the Central Bank) which should indicate the bank institutions in which the debtor has bank account(s) or deposits. Based on the information received, the enforcement agent

²⁷ For example, in Portugal during the first year of introduction of the e-Attachment on the bank accounts, over 400 million euros was recovered.

notifies the bank that the bank accounts need to be blocked (in Serbia such notification is also done to the Central Bank).

Attachment on salary

Azerbaijan might consider the electronic attachment on the salary. For example, in the Netherlands with the major employers, an agreement is made (allowed by law) that such employers accept electronic attachment. The Netherlands has a self-employed system, so it was the Chamber of Private Enforcement Agents who concluded the agreement. We imagine that in Azerbaijan, DGE would conclude such agreements with major employers.

4.7. The use of IT within the monitoring and control mechanisms

In most European countries, the Ministry of Justice (and the professional organization in case of self-employed enforcement), monitors enforcement agents via the electronic enforcement case management system. Enforcement agents are obliged to enter all of their professional acts and enforcement documents in the enforcement case management system. Thus, the Ministry of Justice has an overview of the professional activities of enforcement agents. This enables checks on the financial transactions (money received from debtors, transfer of money to the creditor, advanced payment of fees), enforcement expenses, including legality of the collection of fees, the registration of professional acts and the organisation of information technology work, the conformance to the requirements and the obligations and terms set forth in legislation or good professional practices and personal performance of official duties imposed on enforcement agents by law.

Although EIS is not established solely for the supervision, the existence of such system facilitates the overview over the profession considerably. In a separate report²⁸ the experts already proposed a set of indicators to measure, electronically, the efficiency of the enforcement system.

It is not clear if the access to data by the enforcement agent is also monitored. We suggest periodical randomized samples of all inquiries by the enforcement agents. In case of violations, the Ministry may suspend the enforcement agent, notify the Personal Data Protection Authority and undertake disciplinary actions.

4.8. The use of Artificial Intelligence in enforcement

Access to information is critical in the context of e-Enforcement. Without secure and reliable information on the subject of enforcement, e-Enforcement is impossible. Two further elements are critical with regard to available information: the exhaustiveness of the information stored, and the

²⁸ Recommendations on setting up a system of enforcement timeframes and recovery rates as indicators on the efficiency of the enforcement system and in view of evaluating the enforcement agent's performance (October 2020).

interconnection of the databases used for distinct purposes. Only in a small number of countries (e.g., Estonia, Lithuania, Portugal), a fully operational information system is available.

Such fully operational information system, however, is a condition sine qua non for the use of artificial intelligence in enforcement. The different levels of development of information systems and databases, the lack of interoperability between databases, the lack of digitization of certain information make it impossible to use AI.

Countries with a self-employed enforcement system, for commercial reasons, have automated larg(er) parts of the enforcement process. However, experts would not always call this AI.

One initiative that can be mentioned here is in Lithuania²⁹. However, as mentioned the e-Enforcement environment in Lithuania enables the enforcement agent to introduce AI:

- A system of electronic delivery of calls by enforcement agents to enforce decisions is introduced.
- Online access to all databases with information on the assets of the debtor: population register, property register, vehicle register, State Social Insurance Fund, Weaponry Fund, Register of Property Seizure Acts, Cash restriction information system, Register of legal entities.
- Seizure on property is imposed electronically.
- All auctions are done online.
- The case management system enables electronic monitoring of the enforcement cases.
- The enforcement process can be initiated electronically.
- The enforcement agents compose and sign enforcement documents electronically.

Under such circumstances a substantial part of the enforcement process can be automated.

²⁹ Robotic process automation through Antanas.